

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eric G. Lovett et al.

Title: RATE SMOOTHING CONTROL

Docket No.: 279.353US1

Serial No.: 10/017,800

Filed: December 12, 2001

Due Date: August 25, 2006

Examiner: George Robert Evanisko

Group Art Unit: 3762

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


We are transmitting herewith the following attached items (as indicated with an "X"):

X Response to Notice of Non-Compliant Appeal Brief (1 pg.).

X Appeal Brief (20 pgs.).

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
Customer Number 21186

By:   
Atty: Zhengnian Tang  
Reg. No. 55,666

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 2 day of August, 2006.

Name

Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
(GENERAL)

**S/N 10/017,800**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Eric G. Lovett et al.

Examiner: George R. Evanisko

Serial No.: 10/017,800

Group Art Unit: 3762

Filed: December 12, 2001

Docket: 279.353US1

Title: RATE SMOOTHING CONTROL

**RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF**

MS APPEAL BRIEF - PATENTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

In response to the Notice of Non-Compliant Appeal Brief dated July 25, 2006, Appellants submit herewith an Appeal Brief which corrects the defects noted at paragraphs 2 and 7 of the Notice.

The Examiner is invited to telephone Appellants' attorney at 612-371-2117 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

ERIC G. LOVETT ET AL.

By Applicants' Attorneys,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH,  
P.A.

P.O. Box 2938


Minneapolis, MN 55402

(612) 373-6965

Date

8-2-2006

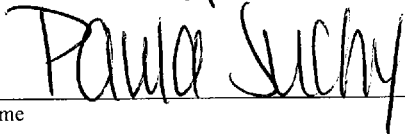
By

  
Zhengnain Tang

Reg. No. 55,666

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby **certifies that this correspondence** is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 2 day of April, 2006.

Name



Signature

